
By: **Delegates Bozman, Conway, McClenahan, Eckardt, and Cane**
Introduced and read first time: February 17, 1999
Assigned to: Rules and Executive Nominations

A BILL ENTITLED

1 AN ACT concerning

2 **Maryland Building Performance Standards - Time Limits**

3 FOR the purpose of altering the time limit in which the Department of Housing and
4 Community Development has to incorporate subsequent versions of the BOCA
5 National Building Code into the Maryland Building Performance Standards;
6 and altering the date on which the Maryland Building Performance Standards
7 shall apply to counties or municipalities that have adopted the standard
8 building code issued by the Southern Building Code Congress International, Inc.

9 BY repealing and reenacting, without amendments,
10 Article 83B - Department of Housing and Community Development
11 Section 6-401 and 6-402(a) and (c)(1) and (2)
12 Annotated Code of Maryland
13 (1998 Replacement Volume)

14 BY repealing and reenacting, with amendments,
15 Article 83B - Department of Housing and Community Development
16 Section 6-402(b) and (c)(3)
17 Annotated Code of Maryland
18 (1998 Replacement Volume)

19 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
20 MARYLAND, That the Laws of Maryland read as follows:

21 **Article 83B - Department of Housing and Community Development**

22 6-401.

23 (a) In this subtitle the following words have the meanings indicated.

24 (b) "BOCA" means the organization known as the Building Officials and Code
25 Administrators International, Inc.

26 (c) (1) "BOCA National Building Code" means the first printing of the most
27 recent edition of the National Building Code periodically issued by BOCA.

1 (2) "BOCA National Building Code" does not include interim
2 amendments or subsequent printings of the most recent edition.

3 (d) "Building" has the meaning and interpretation set forth in the BOCA
4 National Building Code.

5 (e) "County" means any of the 23 counties of the State and the Mayor and City
6 Council of Baltimore.

7 (f) "Local jurisdiction" means the county or municipality responsible for
8 implementation and enforcement of the Maryland Building Performance Standards
9 as more specifically provided in § 6-402(f) of this subtitle.

10 (g) "Maryland Building Performance Standards" or "Standards" means the
11 BOCA National Building Code adopted by the Department under § 6-402 of this
12 subtitle.

13 (h) "Municipality" means a municipal corporation subject to the provisions of
14 Article XI-E of the State Constitution.

15 (i) "Standard Building Code" means the standard building code issued by the
16 Southern Building Code Congress International, Inc.

17 (j) "State Fire Prevention Code" means the fire prevention regulations
18 promulgated by the State Fire Prevention Commission in accordance with Article
19 38A, § 3 of the Code.

20 (k) "Structure" has the meaning and interpretation set forth in the BOCA
21 National Building Code.

22 6-402.

23 (a) The Department shall adopt by regulation, as the Maryland Building
24 Performance Standards, the BOCA National Building Code with the modifications
25 incorporated by the Department under § 6-403 of this subtitle.

26 (b) (1) The Department shall adopt the initial version of the Maryland
27 Building Performance Standards on or before August 1, 1994.

28 (2) The Department shall adopt all subsequent versions of the Standards
29 within [9] 24 months of the date BOCA issues the BOCA National Building Code.

30 (c) (1) Except as otherwise provided in this subsection, the Maryland
31 Building Performance Standards shall apply to all buildings and structures within
32 the State for which a building permit application is received by a local jurisdiction on
33 or after August 1, 1995.

34 (2) In counties or municipalities that have not adopted a building code as
35 of October 1, 1992, the Standards shall apply to all buildings and structures for which

1 a building permit application is received by the local jurisdiction on or after August 1,
2 1997.

3 (3) In counties or municipalities that have adopted the standard building
4 code as of October 1, 1993, the Standards shall apply to all buildings and structures
5 for which a building permit application is received by the local jurisdiction on or after
6 August 1, [1999] 2001.

7 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
8 July 1, 1999.